

Panaji, 17th January, 1985 (Pausa 27, 1906)

SERIES II No. 42

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Order

No. 3/41/82-PER

The Administrator of Goa, Daman and Diu is pleased to transfer and post Shri V. P. Suri, IAS, Secretary (Ind. & Labour) as Special Commissioner to Goa, Daman and Diu, in the office of Special Commissioner, New Delhi, with immediate effect, vice Shri M. P. Tyagi.

2. Shri V. P. Suri shall hand over the charge of the post of Secretary (Ind. & Labour) to Shri S. Krishnan, IAS, Director of Industries and Mines, who shall function as Secretary (Ind. & Labour), in addition to his own duties, until further orders.

3. On handing over the charge of the post of Special Commissioner to Shri Suri, Shri M. P. Tyagi shall report to the Chief Secretary. His posting orders are being issued separately.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 8th January, 1985.

Order

No. 4/41/77-PER (Vol. IV)

The Administrator of Goa, Daman and Diu is pleased to order the transfer of the following IFS Officers in the Forest Department with immediate effect:-

| Sr. No. | Name of the Officer | Present Posting | Posted on transfer |
|---------|------------------------|---|---|
| 1. | Shri P. V. Sawant, IFS | Dy. Conservator of Forests, Cashew Division, Ponda. | Dy. Conservator of Forests (Research & W.P.), Panaji thereby relieving Shri J. M. Chaudhury of the additional charge. |
| 2. | Shri N. N. Zhasa, IFS | Asst. Conservator of Forests, Office of Conservator of Forests. | Dy. Conservator of Forests, Cashew Division, Ponda vice Shri P. V. Sawant transferred. |

2. Shri N. N. Zhasa shall move first and relieve Shri Sawant from the post of Dy. Conservator of Forests, Ponda.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 4th January, 1985.

Education Department

Order

No. 12/20/84/WET/III

Read:— Government Order No. 16/1/82/WET dated 19-4-82.

Smt. Jyotsana Kamat is hereby temporarily appointed on ad-hoc basis as Asst. Professor in Electrical Engineering in Goa College of Engineering with effect from 12-11-84 (F.N.) on an initial pay of Rs. 1100/- in the scale of Rs. 1100-1600/- plus the usual allowances admissible from time to time as per rules.

The appointment is subject to the conditions specified in the Office Memorandum of even number dated 22-8-84 and the Rules Regulations laid down by the Government from time to time.

The appointment is purely on ad-hoc basis and it will not bestow on the appointee any claim for regular appointment, promotion to higher post and seniority and will be liable to be terminated by one month's notice or without payment of one month's salary in lieu of notice.

The appointment is liable for termination in case the character and antecedents of the appointee are adverse so as to disqualify her from holding a post under Government.

By order and in the name of the Administrator of Goa, Daman and Diu.

D. N. Accarwade, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 7th January, 1985.

Forest and Agriculture Department

Order

No. 10-13(3)84-COOP-F. & Agri.

In pursuance of the provision of sub-section (3) of section 148 of the Maharashtra Cooperative Societies Act, 1960 (XXIV of 1961) as in force in the Union Territory of Goa, Daman and Diu, the Government hereby authorises the Registrar of the Cooperative Societies, Government of Goa, Daman and Diu to hear the party concerned prior to granting sanction for lodging prosecution against such party by the State Government in the case of an offence under clause (b) of section 146 of the said Act.

By order and in the name of the Administrator of Goa, Daman and Diu.

A. P. Pawelkar, Under Secretary (Forest and Agriculture).

Panaji, 3rd January, 1985.

Power, Supply and Welfare Department

Notification

No. 6-25-84-LAWD

Whereas the Administrator of Goa, Daman and Diu is of the opinion that the institutions known as "Ninho Infantil" Panaji run by the Provedoria de Assistencia Publica and "Unwed Mothers Home" (O.P.M.), Mercos are fit for the reception of neglected children to be sent there under the Children Act, 1960 (Central Act 60 of 1960).

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 9 of the said Act, the Administrator of Goa, Daman and Diu hereby certifies "Ninho Infantil", Panaji and "Unwed Mothers Home" (O.P.M.), Mercos as Children's Homes for the reception of neglected children below three years of age and between three years to six years of age for the purposes of the said Act.

By order and in the name of the Administrator of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary (PW&UD).

Panaji, 8th January, 1985.

Notification

No. 6-25-84-LAWD

Whereas the Administrator of Goa, Daman and Diu is of the opinion that the institutions known as "Ninho Infantil" Panaji run by the Provedoria de Assistencia Publica and "Unwed Mothers Home" (O.P.M.), Mercos are fit for the temporary reception of children during the pendency of any inquiry regarding them under the Children Act, 1960 (Central Act 60 of 1960).

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 11 of the said Act, the Administrator of Goa, Daman and Diu hereby recognises "Ninho Infantil", Panaji and "Unwed Mothers Home" (O.P.M.), Mercos as observation Homes for the reception of children below three years of age and between three years to six years of age respectively for the purposes of the said Act.

By order and in the name of the Administrator of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary (PW&UD).

Panaji, 8th January, 1985.

Revenue Department

Notification

No. 22/200/84-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for construction of Kalay Dukhorkhond road in V. P. Kalay.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be

disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Additional Dy. Collector (3-South) Quepem to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Additional Dy. Collector (3-South) Quepem.
3. The Executive Engineer, W. D. VI (R&B) Fatorda Margao.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Additional Dy. Collector (3-South) Quepem for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Survey No. | Sub-Div. No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|-------------------------------------|---------|--------------|------------|--------------|---|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Sanguem | Calem | 132 | 2 part | H: 1. Rama Surya Gaunkar. 2. Ganesh Laxman Gaunkar. 3. Narayan Vithoba Gaunkar. 4. Rajaram Sanvlo Gaunkar. 5. Babuso Rudyo Gaunkar. | 2400.00 |
| Boundaries: | | | | | | |
| North: Rama Surya Gaunkar & others. | | | | | | |
| South: — do — | | | | | | |
| East: S. No. 132/4. | | | | | | |
| West: River. | | | | | | |
| Total | | | | | | 2400.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 1st January, 1985.

Notification

No. 22/11/82-RD.

Whereas by Government Notification No. 22/11/82-RD dated 25-1-82 published on page 507-508 of Series II, No. 44 of the Official Gazette, dated 28-1-82 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said said Notification (hereinafter referred to as "said land") was likely to be needed for the public purpose viz. Institutional Complex at Curca, Bambolim, Calapur, Taleigao and Dona Paula.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto

is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Deputy Collector Goa North Division, Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Deputy Collector Goa North Division, Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Plot No. | Survey No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|---------|---------|--------------|----------|---------------|---|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Tiswadi | Taleigao | 1 | 227 part | O: Enna Martins. L: Krishna Kunkolkar. | 5744.00 |
| | | | 2 | 228 | O: Comunidade of Taleigao. L: Ludric Barreto. | 15200.00 |
| | | | 3 | 229 | O: Comunidade of Taleigao. L: Ludric Barreto. | 13090.00 |
| | | | 4 | 221/1 | O: Sripad Rosario. 2: Rama Rosario. | 450.00 |
| | | | 5 | 221/2 | O: Mahadeo Rosario. 2: Camilo Rosario. 3: Joaquim Rosario. 4: Tatalu Rosario. | 1475.00 |
| | | | 6 | 221/3 | O: 1. Sitaram Rosario. 2. Rama Rosario. | 2880.00 |
| | | | 7 | 221/4 | O: 1. Rama Kalapurkar. 2. Guno Kalapurkar. 3. Shambu Kalapurkar. | 700.00 |
| | | | 8 | 221/5 | O: 1. Mahadeo Rosario. 2. Camilo Rosario. 3. Joaquim Rosario. 4. Tatalu Rosario. | 635.00 |
| | | | 9 | 221/6 | O: 1. Sitaram Rosario. 2. Rama Rosario. | 1600.00 |
| | | | 10 | 201 | O: Comunidade of Taleigao. L: Upi Dias. Cruz Xavier Almeida. | 32150.00 |
| | | | 11 | 202 | O: Comunidade of Taleigao. L: 1. Paulo Dias. 2. Dropadi Shirodkar. 3. Cruz Xavier Almeida. | 63110.00 |
| | | | 12 | 222 Plot-A | O: Comunidade of Taleigao. | 89.00 |
| | | | 13 | 222 | O: Comunidade of Taleigao. T: Jose Casmiro Lobo. | 37668.00 |
| | | | 14 | 220/1 | O: Comunidade of Taleigao. T: Parvati Cunkolkar. | 41750.00 |
| | | | 15 | 220/2 | O: 1. Guno Kalapurkar. 2. Rama Kalapurkar. 3. Shamba Kalapurkar. | 585.00 |
| | | | 16 | 220/3 | O: 1. Mahadeo Rosario. 2. Camilo Rosario. 3. Joaquim Rosario. | 2075.00 |
| | | | 17 | 220/4 | O: 1. Guno Kalapurkar. 2. Rama Kalapurkar. 3. Shamba Kalapurkar. | 175.00 |
| | | | 18 | 220/5 | O: 1. Mahadeo Rosario. 2. Camilo Rosario. 3. Joaquim Rosario. 4. Tatalo Rosario. | 510.00 |
| | | | 19 | 220/6 | O: Comunidade of Taleigao. T: Ramchandra Barreto. | 23600.00 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---------|----------|----|-------------|---|---|----------|
| Tiswadi | Taleigao | 21 | 230/1 | O: Comunidade of Taleigao. L: Ludric Barreto. | | 31000.00 |
| | | 22 | 231/3 | O: Comunidade of Taleigao. T: 1. Joao Viegas. 2. Inacisa Viegas. | | 54000.00 |
| | | 23 | 232/1 | O: Lavina Martins Monserate. L: Pitu Cabral. | | 6210.00 |
| | | 24 | 233/1 | O: Comunidade of Taleigao. T: Shri Govind Gauns. | | 38080.00 |
| | | 25 | 218 | O: Comunidade of Taleigao. | | 22550.00 |
| | | 26 | 219 | O: Comunidade of Taleigao. L: Omnu Rosario. | | 42800.00 |
| | | 27 | 215 part | O: Comunidade of Taleigao. | | 8650.00 |
| | | 28 | 216 | O: Comunidade of Taleigao. | | 33500.00 |
| | | 29 | 217 | O: Arthur Armando A. Viegas. T: 1. Hari Cuncolkar. 2. Janu Barreto. | | 9500.00 |
| | | 32 | 237 | O: Comunidade of Taleigao. L: Joaquim Pereira. | | 17585.00 |
| | | 33 | 238 part | O: Comunidade of Taleigao. L: Paica Dias. | | 31610.00 |
| | | 35 | 272/1 | O: Comunidade of Taleigao. | | 14215.00 |
| | | 36 | 272/2 | O: Ernesto des Mercos Carvalho. | | 1062.00 |
| | | 37 | 272/3 | O: Maria Fernandes Martins Monserato. T: Pito Cabral. | | 8350.00 |
| | | 38 | 272/4 | O: Alanesia Teofilo Martins Monserate. | | 2224.00 |
| | | 39 | 272/5 | O: Comunidade of Taleigao. | | 176.00 |
| | | 40 | 268 part | O: Comunidade of Taleigao. | | 12320.00 |
| | | 48 | 274 part | O: Martinho Lourdes Campos Martins. | | 4581.00 |
| | | 49 | 273/2 | O: 1. Ernest Carvalho. 2. Fernandes Martinho Monserato. | | 8713.00 |
| Tiswadi | Calapur | 50 | 228 | O: Comunidade of Calapur. | | 48360.00 |
| | | 51 | 229 | O: Comunidade of Calapur. | | 13800.00 |
| | | 52 | 230 | O: Comunidade of Calapur. | | 19399.00 |
| | | 53 | 227 | O: Comunidade of Calapur. T: Simplicio Cassiano Fernandes. | | 26078.00 |
| | | 54 | 196 | O: Comunidade of Calapur. T: Simplicio Cassiano Fernandes. | | 27051.00 |
| | | 55 | 194 | O: Comunidade of Calapur. | | 24200.00 |
| | | 56 | 195 | O: Maria Vitoria E. Dias Sapeco. | | 42687.00 |
| | | 57 | 133 | O: Comunidade of Calapur. | | 6050.00 |
| | | 58 | 130 | O: Comunidade of Calapur. | | 13614.00 |
| | | 59 | 136 | O: Comunidade of Calapur. T: Antonio Caetano V. C. Mergulhao. | | 8538.00 |
| | | 60 | 137 | O: Comunidade of Calapur. | | 2725.00 |
| | | 61 | 142 | O: Comunidade of Calapur. T: Antonio Caetano V. C. Mergulhao. | | 38230.00 |
| | | 62 | 141 | O: Comunidade of Calapur. | | 9477.00 |
| | | 63 | 224 | O: Comunidade of Calapur. | | 14785.00 |
| | | 64 | 223 | O: Comunidade of Calapur. T: Minguel Leusens Fernandes. | | 19820.00 |
| | | 65 | 225 | O: Comunidade of Calapur. T: Cipriano Fernandes. | | 6200.00 |
| | | 66 | 226 | O: Comunidade of Calapur. T: Simplicio P. Casino Fernandes. | | 29270.00 |
| | | 67 | 200 | O: Comunidade of Calapur. T: Gonsalo Dias. | | 18013.00 |
| | | 68 | 201 | O: Comunidade of Calapur. T: Gonsalo Dias. | | 18100.00 |
| | | 69 | 202 | O: Comunidade of Calapur. T: Gonsalo Dias. | | 20970.00 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---------|----------|-----|----------|---|---|----------|
| Tiswadi | Calapur | 73 | 128 | O: 1. Maximo Mergulhao. 2. Comunidade of Calapur. | | 44300.00 |
| | | 74 | 127 | O: Maximo Mergulhao. 2. Comunidade of Calapur. | | 21825.00 |
| | | 75 | 132 | O: Comunidade of Calapur. | | 13800.00 |
| | | 76 | 134/1 | O: Comunidade of Calapur. L: Pandhari Pereira. | | 19275.00 |
| | | 77 | 134/2 | O: Comunidade of Calapur. | | 1250.00 |
| | | 78 | 126 | O: 1. Maximo Mergulhao. 2. The Comunidade of Calapur. | | 23794.00 |
| | | 79 | 135 | O: Maximo Mergulhao. | | 18055.00 |
| | | 80 | 125 | O: Maximo Mergulhao. | | 36375.00 |
| | | 81 | 124 | O: Maximo Mergulhao. 2. Comunidade of Calapur. | | 20750.00 |
| | | 82 | 124-A | O: Maximo Mergulhao. | | 464.00 |
| | | 83 | 141 | O: Comunidade of Calapur. 2. Antonio Caitano V. C. Mergulhao. | | 9353.00 |
| | | 84 | 140 | 1. Comunidade of Calapur. | | 11681.00 |
| | | 85 | 204 | O: Comunidade of Calapur. | | 23449.00 |
| | | 86 | 203 | O: Comunidade of Calapur. T: Ermita Vitorina Fernandes. | | 24915.00 |
| | | 87 | 222 | O: Comunidade of Calapur. T: Manuel Marcelino Dias. | | 13552.00 |
| | | 88 | 221 | O: Comunidade of Calapur. T: Manuel Marcelino Dias. | | 24342.00 |
| | | 89 | 219 | O: Comunidade of Calapur. T: Manuel Marcelino Dias. | | 9800.00 |
| | | 90 | 220 | O: Comunidade of Calapur. T: Manuel Marcelino Dias. | | 48275.00 |
| | | 91 | 220-A | O: Comunidade of Calapur. | | 721.00 |
| | | 92 | 217 | O: Comunidade of Calapur. 2. Vithal Mahadev Sinai Talaulikar. 3. Dr. Pramod Medeva Sinai Talaulikar. 4. Pradeep Madeva Sinai Talaulikar. | | 15000.00 |
| | | 93 | 218 | O: Comunidade of Calapur. | | 31694.00 |
| | | 94 | 205 | O: Comunidade of Calapur. T: Ermita Vitorina Fernandes. | | 33146.00 |
| | | 95 | 206 | O: Comunidade of Calapur. T: Ermita Vitorina Fernandes. | | 44757.00 |
| | | 96 | 207 | O: 1. Vithal Madeva Sinai Talaulikar. 2. Dr. Pramod Madeva Sinai Talaulikar. 3. Pradeep Madeva Sinai Talaulikar. | | 50247.00 |
| | | 98 | 212 | O: 1. Vithal Madeva Sinai Talaulikar. 2. Dr. Pramod Madeva Sinai Talaulikar. 3. Pradeep Madeva Sinai Talaulikar. | | 25055.00 |
| | | 100 | 216 | O: 1. Vithal Madeva Sinai Talaulikar. 2. Dr. Pramod Madeva Sinai Talaulikar. 3. Pradeep Madeva Sinai Talaulikar. | | 16146.00 |
| | | 101 | 138 | O: Comunidade of Calapur. | | 19950.00 |
| | | 102 | 139 | O: Comunidade of Calapur. | | 3525.00 |
| Tiswadi | Bambolim | 103 | 45 | O: Maximo Mergulhao. | | 12675.00 |
| | | 104 | 50/1 | O: Paulo Joaquim B. Manuel D'Sa, Bairro Calusa, St. Cruz Goa. | | 18800.00 |
| | | 105 | 50/2 | O: Antonio Jeremias Filomena Xavier Dias Barreto. | | 12100.00 |
| | | 106 | 43/1 | O: Fabrica de Igreja de Bambolim. 2. Maximo Mergulhao. | | 6472.00 |
| | | 107 | 43/2 | O: 1. Baptista Fernandes. 2. Maximo Mergulhao. | | 7288.00 |
| | | 108 | 43/3 | O: Fabrica da Igreja de Sirigao. 2. Maximo Mergulhao. 3. Fabrica de Igreja de Bambolim. | | 9836.00 |
| | | 109 | 44 | O: Maximo Mergulhao. | | 17925.00 |
| | | 110 | 32/1 | O: Maximo Mergulhao. | | 86250.00 |
| | | 111 | 32/4 | O: All India Radio Station. | | 4900.00 |
| | | 112 | 30 | O: Dilipkumar Ranga Prabhu Mahambre. | | 32275.00 |
| | | 113 | 29(part) | O: Domingo Felicio Dias. | | 39550.00 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|-------------|----------|-----|-------|--|---|--------------------|
| Tiswadi | Bambolim | 114 | 27 | O: 1. Bhagirathibai Kamat Haldenkar. 2. Priagabai Kamat Haldenkar. T: 1. Pandurang Pereira. 2. Purshotham Pereira. 3. Nilu Pereira. | | 63900.00 |
| | | 115 | 28/1 | O: 1. Dilipkumar Raya P. Mahambre. T: 1. Manuel Pereira. 2. Vinthru Pereira. 3. Matheus Pereira. 4. Avelino Pereira. | | 4650.00 1450.00 |
| | | 116 | 28/2 | O: Dilipkumar Raya P. Mahambre. T: Vinthru Pereira. Matheus Pereira. Avelino Pereira. Manuel Pereira. | | 1450.00 |
| | | 117 | 28/3 | O: Dilipkumar Raya P. Mahambre. T: Avelino Pereira. Manuel Pereira. Vithru Pereira. Matheus Pereira. | | 1700.00 |
| | | 118 | 28/4 | O: Dilipkumar Raya P. Mahambre. T: 1. Manuel Pereira. 2. Mathous Pereira. 3. Avelino Pereira. 4. Vinthru Pereira. | | 2500.00 |
| | | 119 | 28/5 | O: Dilipkumar Raya P. Mahambre. T: Vinthru Pereira. 2. Avelino Pereira. 3. Manuel Pereira. 4. Matheus Pereira. | | 2525.00 |
| | | 120 | 28/6 | O: Dilipkumar Raya P. Mahambre. T: Avelino Pereira. 2. Vinthru Pereira. 3. Manuel Pereira. 4. Matheus Pereira. | | 2475.00 |
| | | 121 | 28/7 | O: Domingo Felicio Dias. T: Geronomo Mathies. | | 2950.00 |
| | | 122 | 28/8 | O: Bhagirathibai Kamat Haldenkar. 2. Priagabai Kamat Haldenkar. T: 1. Pandurang Pereira. 2. Nilu Pereira. 3. Krishna Pereira. 4. Purushotham Pereira. | | 11450.00 |
| | | 123 | 28/9 | O: 1. Bhagirathibai Kamat Haldenkar. 2. Priagabai Kamat Haldenkar. T: Pandurang Pereira. Purushottam Pereira. Nilu Pereira. Krishna Pereira. | | 700.00 |
| | | 124 | 28/10 | O: Bhairathibai Kamat Haldenkar. 2. Priagabai Kamat Haldenkar. T: Nilu Pereira. | | 300.00 |
| Total | | | | | | 1948595.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 26th December, 1984.

Notification

No. 22/122/83-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land acquisition for development of Play ground at Penha de Franca.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or

other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector

(L.A.O.), Collectorate of Goa to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.

2. The Deputy Collector (L.A.O.), Collectorate of Goa, Panaji.
3. The Block Development Officer, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector (L.A.O.), Collectorate of Goa, Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Survey No. | Sub. Div. No. | Name of the person believed to be interested | Approximate area in sq. mts. |
|----------------------------------|--------|-----------------|------------|---------------|--|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Bardez | Penha-de-Franca | 29 part | — | Pitagoras B. Velho. | 20200.00 |
| Boundaries: | | | | | | |
| North: S. No. 29/0. | | | | | | |
| South: S. No. 33 & 29/0. | | | | | | |
| East: S. No. 29 and S. No. 27/1. | | | | | | |
| West: S. No. 29/0. | | | | | | |
| Total | | | | | | 20200.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 1st January, 1985.

Notification

No. 22/218/84-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for Improvement of Geometri of NH-4A between Km 105/600 to km 106/300 (CH. 0.00 at Belgaum).

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Additional Dy. Collector (2-South) Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Additional Dy. Collector (2-South) Margao.
3. The Executive Engineer, W. D. XV(NH) P.W.D. Ponda.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Additional Dy. Collector (2-South) Margao for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Survey No. | Sub-Div. No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|-------------|--------|--------------|------------|--------------|---|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Ponda | Darbandora | 99 part | | 1. Anna Gracias Braganzo. 2. Jwad Lorencio Braganzo. 3. Jose Santano Braganzo. 4. Gnica Dias. 5. Donzio Roqu Dias. 6. Eulano Joaquim Minguel. 7. Constancio Ropoes. North: Road S. No. 99. South: S. No. 99. East: S. No. 98. West: S. No. 100. | 11,600.00 |
| Total | | | | | | 11,600.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 1st January, 1985.

Notification

No. 22/198/84-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land acquisition for const. of Cansaulim beach road from Pale-Dabolim P.W.D. road at Cansaulim.

Therefore the Government is pleased to notify under Sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Additional Deputy Collector (2-South) Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under Sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Additional Deputy Collector (2-South) Margao.
3. The Executive Engineer, W.D. VI (R & B), Fatorda-Margao.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Additional Deputy Collector (2-South), Margao for a period of 30 days from the date of publication of this Notification in the Official Gazette.

(Description of the said land)

SCHEDULE

| Sr. No. | Taluka | Village/Ward | S. No. | Sub-Div. No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|---|----------|--------------|--------|--------------|--|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Mormugao | Cansaulim | 70 | 9 part | Isaura Martins and Marcelina of Cansaulim. | 450.00 |
| | | | 70 | 8 part | Lourdinha Martins and Fransquinho Martins of Cansaulim. | 225.00 |
| | | | 70 | 19 part | Jose Agostinho Furtado of Cansaulim. | 60.00 |
| | | | 70 | 10 part | Francis Manuel Barros Pereira of Cansaulim. | 1250.00 |
| | | | 70 | 13 part | Isaura Martins & Marcelina Martins of Cansaulim. | 60.00 |
| | | | 71 | 4 part | Antonio Leopoldo Anibal Martinho Fernandes of Cansaulim. | 900.00 |
| | | | 71 | 5 part | Damaciano Gracias of Cansaulim. | 725.00 |
| | | | 74 | 1 part | Joao Mota Barbosa, Isaura Martins, Marcelina Martins, Lourdinha Martins, Fransquinho Martins and Joaquim Antonio Almeida of Cansaulim. | 3000.00 |
| | | | 73 | 2 part | Helena Barreto, Fidelis Gracias, Joaquim Antinio Almeida and John Gracias of Cansaulim. | 160.00 |
| | | | 73 | 13 part | Comunidade of Cansaulim. | 25.00 |
| | | | 73 | 7 part | Gresenlio Barreto, Francisco A. Barreto and Maria Olga Barreto of Cansaulim. | 125.00 |
| | | | 73 | 3 part | Maria Ozorio Saldanha, John Barros Pereira, Stanley Barros Pereira and Roy Barros Pereira of Cansaulim. | 400.00 |
| Boundaries: | | | | | | |
| North: Survey No. 70, Sub. Div. No. 8, 9, 10, 13 and 19, Survey No. 71 Sub. Div. No. 4 & 5 Survey No. 74 Sub. Div. No. 1. | | | | | | |
| South: Survey No. 70, Sub. Div. No. 8, 9, 10, 13, Survey No. 71, Sub. Div. No. 4, Sub. Div. No. 5. Survey No. 74, Sub. Div. No. 1 & village boundary of Arrossim. | | | | | | |
| East: Road, Survey No. 71, Sub. Div. No. 5 Survey No. 74, Sub. Div. No. 1, Survey No. 73, Sub. Div. No. 2, 3 & 7, 18. | | | | | | |
| West: Arabian sea, Survey No. 74 Sub. Div. No. 1 and Survey No. 73 Sub. Div. No. 2, 3, & 7. | | | | | | |
| Total | | | | | | 7380.00 |

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 1st January, 1985.

Notification

No. 22/219/84-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. For improvement and B/T of Bagdem road in V. P. Colva, Salcete.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Additional Dy. Collector (2-South), Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Additional Dy. Collector (2-South), Margao.
3. The Executive Engineer, Works Division VI (R&B), Fatorda-Margao.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Additional Dy. Collector (2-South), Margao, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/Ward | S. No. | Sub-Div. No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|---------|---------|--------------|--------|--------------|--|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Salcete | Colva | 76 | 1 | Fabrica of Benaulim. | 740.00 |
| | | | 77 | 1 | Dr. Assis Fernandes. | 925.00 |
| | | | 79 | 5 | Comunidade. | 150.00 |
| | | | 82 | 17 | Salvador Machado. | 150.00 |
| | | | 82 | 20 | Mahadev Sinai Caro. | 80.00 |
| | | | 82 | 21 | Digamber Damodar Alve. | 75.00 |
| | | | 82 | 24 | Rosada Rodrigues. | 225.00 |
| | | | 82 | 26 | Jose Merobio Luis. | 40.00 |
| | | | 82 | 27 | Milliona Rodrigues. | 175.00 |
| | | | 82 | 30 | Anthony Luis. | 150.00 |
| | | | 82 | 31 | Mingelina Costa. | 75.00 |
| | | | 82 | 32 | Joao Jose Gracious. | 75.00 |
| | | | 82 | 29 | Jose Merobio Luis. | 225.00 |
| | | | 78 | 1 | Comunidade. | 200.00 |
| | | | 78 | 2 | Comunidade. | 200.00 |
| | | | 78 | 3 | Arnaldo Costa. | 275.00 |
| | | | 78 | 4 | Arnaldo Costa. | 80.00 |
| | | | 78 | 5 | Efezinha Machado. | 475.00 |
| | | | 78 | 6 | Mahadev Sinai Caro. | 80.00 |
| | | | 78 | 8 | Dr. Assis Fernandes. | 85.00 |
| | | | 63 | 1 | Digamber Damodar Alve. | 55.00 |
| | | | 63 | 3 | Leonor de Loyola Furtado Fernandes. | 100.00 |
| | | | 83 | 15 | Inacinao Santimano. | 650.00 |
| | | | 83 | 17 | Dr. Jose Silva Pereira. | 350.00 |
| | | | 83 | 18 | Dr. Proto Fernandes. | 80.00 |

Boundaries:

North: S. No. 76/1, 77/1, 79/5, 79/6, 82/12, road, 82/17, 20, 21, 24 & 27, S. No. 82/32, 29, 83/15, 17 & 18.

South: S. No. 76/1, 77/1, 78/2, 1, 3, 5, 8, 63/2, 3, 5, 6 & 7, 83/15, 17 & 18.

East: Road.

West: S. No. 75/1, Road.

Total 5715.00

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 1st January, 1985.

Notification

No. 22/87/83-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for construction of High Court Complex at Penha-da-Franca, Bardez.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector, Goa North Division, Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

- 1. The Collector of Goa, Panaji.
- 2. The Deputy Collector, Goa North Division, Panaji.
- 3. The Law Secretary, Law Department (Establishment) Secretariat, Panaji.
- 4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector, Goa North Division, Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Survey No. | Sub-Div. No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|---|--------|-----------------|------------|--------------|---|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Bardez | Penha-de-Franca | 89 | 5 (part) | Confraria do Santissimo Sacramento e Nossa Senhora de Penha de Franca. | 520.00 |
| | | | 77 | 1 (part) | O: Saint Monica Convent. | 15825.00 |
| | | | 76 (part) | — | O: Maria Margarida Graciela Laura Sebastiana de Conceicao Rodrigues. 2. Adolfo R. S. Fernandes. 3. Alina Leonirdes Tereza Rodrigues Fernandes. 4. Carlota Perpetina Conceicao Fernandes. 5. Maria Bonicia Joaninha Fernandes. 6. Alizira Luisa Temuna Fernandes. 7. Almeida Isaura Silvina Fernandes. | 23125.00 |
| | | | 75 | 1 (part) | Saint Monica Convent. | 7125.00 |
| | | | 75 | 3 (part) | O: Pandurang Soiru Naik. | 9000.00 |
| Boundaries: North: Survey No. 89/577/1 and National Highway. Survey No. 75/2, 75/3 & 76/0. East: National Highway. West: Survey No. 89/5, 77/1, 75/1. | | | | | | |
| Total | | | | | | 55,595.00 |

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 1st January, 1985.

Industries and Labour Department

Order

No. 28/28/83-ILD

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an industrial dispute exists between the management of M/s. Satari Taluka Farmers' Service Co-operative Society Limited, Valpoi, Satari Goa, and their workman Miss Chandralekha Gaude, Valpoi, Satari-Goa, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Lieutenant Governor of Goa, Daman and Diu considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial

Disputes Act, 1947 (14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu, Panaji, constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of M/s. Satari Taluka Farmers' Service Co-operative Society, Valpoi, Satari-Goa in terminating the services of Miss Chandralekha P. Gaude w.e.f. 28-8-82 is legal and justified?

If not, what relief the workman is entitled to?"

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries & Labour).

Panaji, 28th November, 1984.

Order

No. 29/16/84-ILD

Government is pleased to appoint on re-employment Shri A. C. P. Fernandes, retired Planning Officer of the Directorate of Industries and Mines to the post of Assistant Manager in the pay scale of Rs. 700-1300 in Goa Handicrafts, Rural Small Scale Industries Development Corporation Ltd. for a period of one year. His pay may be fixed as per the rules.

2. It is further ordered that A. C. P. Fernandes will perform the duties as Planning Officer as done before, in the Directorate of Industries and Mines in addition to his own duties in Goa Handicrafts, Rural Small Scale Industries Development Corporation Ltd.

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries & Labour).

Panaji, 7th January, 1985.

Order

No. 28/2/79-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 18th December, 1984.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN & DIU, PANAJI-GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Application No.: IT/47/78

1. M/s. B. K. Printers — Applicant
V/s.

1. Shri Babaji Mahadik — Opponent

Applicant represented by Shri R. F. A. D'Souza, Labour Consultant.

Opponent represented by Shri N. J. Rebelo, Union Leader and Adv. H. R. Bharne.

Panaji. Dated: 2-11-1984

AWARD

This is an application for approval under Section 33(2)(b) of the I.D.A., 1947, in short the Act, during the pendency of reference IT/27/77, filed by the above applicant against the above Opponent.

2. It is applicant's case that he got information about a theft of the material belonging to the applicant during the 2nd shift and, as such, on 19-11-1977, around midnight, Mr. M. V. Kakodkar and D. V. Kakodkar kept watch on the press. While M/s. Kakodkars were watching the press from the stair-case, the opponent came out of the press with a paper bundle in his hands; the opponent came near the stair-case with the bundle and kept it there; at this stage, Mr. M. V. Kakodkar switched on the lights and caught the Opponent red handed with the paper bundle; when questioned, the Opponent admitted the theft in the presence of other workers and a statement to that effect was reduced into writing; the opponent thereafter was handed over to the police; a charge-sheet was issued to the opponent on 24-11-1977 for the following misconducts:

1) Theft, misappropriation or dishonesty in connection with the employer's business or property;

2) Commission of any act subversive of discipline and good behaviour on the premises of the establishment; and

3) Leaving the place of work before the scheduled working hours.

An inquiry was held in which the Opponent actively participated and was represented by an office bearer of his Union. The I. O. submitted his findings holding the Opponent guilty of all the charges levelled against him. The Management accepted these findings and decided to dismiss the workman w.e.f. 31-3-1978. Accordingly, the Opponent was dismissed under Section 33(2)(b) of the Act and paid all his wages of one month. It is prayed that the action taken may be approved by the Tribunal.

3. The Opponent, in his reply to the application, has stated as follows:

The Opponent does not admit the statements made by the applicant in the application. It is true that the applicant with his brother visited the nearabout, of the press on 19-11-1977, around midnight, but it is denied that they were near the stair-case of the building keeping watch on the press; the press and the stair-case are a few feet away from the press entrance; the applicant and his brother were outside the press on the footpath near the stair-case; the applicant and his brother were having discussions when the opponent stepped out to spit; at this stage, suddenly the applicant's brother called out to the opponent to the place where they were standing and pointed out to the stair-case showing a bundle of paper sheets; the applicant further inquired if the opponent was aware as to who had kept it there; the opponent replied that he was not aware, whereupon the brother of the applicant went inside and brought all the workmen on duty and inquired with them whether they were aware of it. The workmen also replied in the negative. The Opponent, being in the binding section, the applicant started accusing him; the applicant then took the bundle in his hands, went to the press and wrote a note while his brother brought the police and forcibly made him and under threats of handing him over to the police to sign the statement written by the applicant. The opponent, being afraid of the police, put his signature; regarding the charge sheet issued by the applicant, the opponent replied to it denying all the charges levelled against him. The charges were concocted and framed to harass the opponent for his trade union activities. The applicant, after the formation of the Union, started a reign of terror in the press, victimizing and dismissing the workmen who were active members of the Union and for no fault of theirs. After having terminated the services of 3 of the active members, the applicant concocted a story and charges to terminate the services of the Opponent, who was the only activist of the trade union left with the applicant. Regarding the inquiry, the I.O. was a paid servant of the applicant and so the findings given by him are perverse and the inquiry is vitiated. No reasonable person trained in law would come to such a finding holding the employee guilty on framed up charges. It is, therefore, prayed that the application for approval be rejected and declared that the opponent continues to be in services of the applicant and, consequently, entitled to full wages.

4. After issues were framed and evidence led by the parties, when the file was kept for order, both the parties approached the court and moved an application stating that they had arrived at an amicable settlement on the matter in dispute, and prayed that a consent award be passed accordingly.

5. The settlement terms are as follows:

"1. The workman, Shri Babaji Mahadik, the opponent herein shall be deemed to have resigned from the services of the Employer, M/s. B. K. Printers, the applicant herein, with effect from 31st March 1978.

2. The dismissal letter dated 31st March, 1978 issued to the workman, Shri Babaji Mahadik, dismissing him from the Employer's, M/s. B. K. Printer's services with effect from 31st March, 1978 shall be treated as withdrawn and cancelled.

3. The Employer, M/s. B. K. Printers shall pay to the workman, Shri Babaji Mahadik on 5-10-1984 before this Hon'ble Industrial Tribunal the sum of Rs. 3,000/- (Rupees Three Thousand only) as an ad-hoc ex-gratia payment in full and final settlement of all his dues and claims against the employer, M/s. B. K. Printers. The workman Shri Babaji Mahadik agrees that he shall have no other or further claims of whatsoever nature against the employers M/s. B. K. Printers.

4. In view of the above amicable settlement, the parties herein pray that this Hon'ble Tribunal may be pleased to dispose of the above application No. IT/47/78 by passing an appropriate order as per the amicable settlement arrived at between the parties herein."

6. I have considered the above terms, which are fair and just to both the parties and hence, I accept them and pass the following order:

ORDER

Consent Award in terms of the above settlement is hereby made, and the matter is disposed off, with no order as to costs.

Dr. Renato de Noronha
Presiding Officer
Industrial Tribunal

Order

No. 28/2/84-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 22nd December, 1984.

IN THE LABOUR COURT GOA, DAMAN AND DIU, PANAJI GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Application No.: LCC/34/82

1. Shri Shridhar Prabhu Desai — Applicant
V/s.

1. M/s. Eljay Trading Corporation — Opponent

Panaji, dated: 4th December, 1984.

AWARD

This is an application filed by the above applicant against the above Opponent under Section 33C(2) of the I.D.A., 1947, in short the Act, claiming from the Opponent a total amount of Rs. 1,950-00 of wages of November 1979, 1 and half month leave pay and bonus for 2 years.

2. It is applicant's case that he joined the Opponent's firm as show-room in charge, on 15th February 1977 and resigned on 30th November, 1979, having worked for 2 years and 9 months; his wages were Rs. 400/- per month.

3. The Opponent employer, in its reply, has admitted that the applicant joined on 15-2-1977 with monthly wages of Rs. 400/- and left the firm on 30-11-1979, but stated that he did not resigned but abandoned the services without handing over the charge to the opponent; the applicant has no leave to his credit since he enjoyed all the earned leave due to him. Regarding bonus, it is stated that the opponent firm is not covered by the Payment of Bonus Act, 1965, as the applicant was the only employee of the firm. The Opponent does not owe any money to the applicant; on the contrary, the applicant has to pay to the Opponent, one month's wages in lieu of notice for having abandoned the services.

4. The following issue was by the Court:

"Whether the Applicant proves his entitlement to the amounts claimed?"

5. By his application dated 8-6-1983, the applicant prayed that the Opponent be directed to produce the papers and books mentioned therein in order to prove his claim. Heard the Opponent, he stated that the papers and books mentioned in the application are in the applicant's possession, who abandoned the services of the Opponent, without handing over the charge. Since the contention of the parties regarding the application were contradictory, by my order dated 8-11-1983 they were directed to prove their allegations at the time of leading evidence on the subject matter of the issue.

6. The evidence led by the parties consists of the evidence of the applicant and of the opponent only.

The applicant, in his statement before the Court, has stated that, when he started working for the Opponent, 2-3 other employees were there; he was asked to look into the accounts matter, which he looked after for about 2 months; after that, i.e. from 1st April when the other 2 employees left the job, he was entrusted by the opponent with the entire work of the establishment. After about 1 and a half year, another employee by the name of Pradeep Nagvenkar was engaged by the employer; on 30-11-1979 at about 8.30 a.m. when the applicant came to the establishment, the Opponent started giving him bad words because of some work he had entrusted and the applicant could not do; on previous occasions he had already warned the employer not to give him bad words, because he was not accustomed to such treatment; the applicant got so upset with the bad words received from the opponent that he told the employer that he would keep the keys of the establishment on the table and move away.

Accordingly, he left the keys on the table and left. The employer started laughing; Pradeep Nagvenkar had not yet come to the establishment because his usual timing was at 9.30 a.m. Sometime in 1979, the Labour Inspector had directed the Opponent to issue a letter of appointment to the applicant; accordingly he issued such letter but never gave it to the applicant; by this letter, the applicant was appointed as incharge of the entire establishment and his pay was fixed at Rs. 400/- per month; upto October, his salary was regularly paid by the employer; only his salary of November remained to be paid to him; he is also entitled to leave salary for 1 and half month, bonus for 2 years; whatever work the applicant used to do, it was done in the establishment itself; no books were taken home for doing the work of the establishment; whatever books were maintained by the employer under the Shops and Establishments' Act were in the establishment itself when the applicant left the job.

In his cross, he has stated that he did not give any notice to the opponent before his resignation, but had only given a warning that he would resign, in case the opponent continued to give him bad words; he has denied that he abandoned the services and insisted that he has resigned; he did not hand over the charge because the employer did not ask him to do so; he has denied that, when he kept the keys, the employer told him to hand over the charge and go and stated that the employer only started laughing. While leaving, he told the employer that if he wanted to pay the salary he could pay; he never approached the employer to get the payment. The employer, has not paid bonus to anybody in the establishment; the employer was not employing 10 persons at that time; it is true that the employer used to be in the establishment from 9.30 a.m. to 12.00 noon; it is also true that, after he left the job, he started working, on part time basis, in some other establishment; this was 6 months later and to earn livelihood; he has denied the suggestion that no appointment letter was issued to him; whenever he was absent, he used to send oral messages to the employer and sometimes his son used to replace him in the establishment; there was no question of sending written messages to the employer because their relations were cordial. The applicant used to note down in the muster-roll regarding his absence after resuming duties; he did not remain absent at any time for more than one week; he has denied the suggestion that one time because of an accident near Sher-e-Punjab he remained absent for 12 days and stated that, at that time, he was absent only for 4 days; according to him, during his entire period of service, i.e. 2 years and 9 months, he might have remained absent for not more than 20 days. To the Court, he has stated that his leave card was prepared by the employer and kept with him; he has denied the suggestion that his leave card was given to him by the employer; he has further denied the suggestion that during his sickness for some days he took the books of the establishment home alongwith notes jotted down by the employer to put them upto date.

7. The employer, in his statement before the Court has maintained whatever he had stated in his written statement and stated that, when the workman kept the keys on the table, he said that he did not want the job neither the salary. As for the leave, he has enjoyed more than whatever he was entitled to; he never applied for leave and so there was no point in refusing it; as for November salary, he is not entitled to it, as he abandoned the services; regarding bonus, the Opponent is not bound to pay bonus to the applicant. In his cross, he has denied that he gave bad words to the workman applicant.

8. This is all the evidence on record:

It is an admitted fact that the workman applicant joined the employer firm on 15-2-1977 and left the job

on 30-11-1979; that his wages were Rs. 400/- per month and that he has been paid of his wages till October 1979. As for the wages of November 1979, the employer admits that he has not been paid, but it is his contention that since the workman abandoned the services, he is not entitled to the said wages. Even assuming for the sake of arguments that the workman has abandoned the services of the employer, this would not mean that he is deprived from claiming his salary dues for the period during which he has effectively worked for the employer unless the contract of services of the workman provides for such non payment and the employer has not proved that there was such a provision in the contract of service. Since the workman admittedly worked in the month of November 1979 and was not paid for the said month, the employer has to pay him the wages of that month.

9. Regarding leave dues:

Under Section 23 of the Shops and Establishments Act, 1973, an employee who has served for a period of 240 days or more during a continuous period of 12 months in an establishment shall be entitled during the subsequent period of 12 months to leave with wages for the period of 15 days. This leave period can be accumulated upto a maximum period of 45 days. Besides, under the said provision, the employee is also entitled to 9 days sick leave and 6 days casual leave per year.

The employer was bound to prove through leave applications, muster roll or otherwise that the workman has enjoyed all the leave at his credit, what he has failed to do. Mere assertion of the employer to this fact would not suffice, when the employee contradicts it. In the instant case, the employee stated that, during the entire period of his services, i.e. 2 years 9 months, he might have remained absent at the most for 20 days, out of which 4 days when he met with an accident near Sher-e-Punjab. These 4 days, according to me, are to be considered as sick leave. Out of the remaining 16 days, 12 days could be considered as his casual leave for 2 years at the rate of 6 days per year and 4 days as earned leave enjoyed by him. Therefore, the applicant would be entitled for the entire period of 2 and half years to 37 and half days of earned leave, at the rate of 15 days per year, of which he has enjoyed already 4 days. So, the leave at his credit would be 33 and a half days, the payment of which he is entitled to claim from the employer.

10. Finally regarding bonus:

It is an admitted fact that the employer was not employing at the relevant time 10 employees or that he was paying bonus to any of the employees of its establishment. Hence, the applicant cannot claim from the employer the payment of bonus, because the employer's establishment is not covered by the Payment of Bonus Act.

11. In the premises above, I pass the following order:

ORDER

The employer is directed to pay to the applicant Rs. 400/- of his wages for the month of November 1979 plus leave salary corresponding to 33 and half days. Costs of Rs. 100/- to be paid by the employer to the applicant.

Dr. Renato de Noronha
Presiding Officer
Labour Court

Order

No. 28/2/84-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 17th December, 1984.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN, AND DIU, PANAJI-GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No.: IT/37/84.

1. Shri Simon Luis — Workman/Party I
V/s.

1. M/s. U. T. C. Tourism Pvt. Ltd. — Employer/Party II

Workman/Party I represented by Shri P. Ghodge, President of the Goa Shops & Industrial Workers' Union.

Panaji. Dated: 28-11-1984

REPORT

The Govt. of Goa, Daman & Diu, by its Order No. 28/22/84-ILD dated 4th July, 1984, has referred for the adjudication by this Tribunal of an industrial dispute between the above parties. The schedule annexed to the order of reference reads as follows:

"Whether the action of the management of M/s. U.T.C. Tourism Private Limited, Hotel Silver Sands, Colva, Salcette-Goa, in terminating the services of Shri Simon Luis, Cashier w.e.f. 21-12-1983 is legal and justified? If not, to what relief the workman is entitled to?"

2. The workman represented by the President of Goa Shops and Industrial Workers' Union, filed his claim statement in which it is stated as follows:

That Shri Simon Luis, the workman abovenamed, had been employed as a cashier with M/s. U.T.C. Tourism Pvt. Ltd. at their hotel, Hotel Silver Sands at Colva, Salcette-Goa, since October 1982.

That the workman had been doing his duties diligently and to the full satisfaction of his superiors and the employer, M/s. U. T. C. Tourism Pvt. Ltd. had no occasion to complain against him;

That the employer verbally terminated the services of the workman with effect from the 21st December, 1983, without assigning any reason and without giving any prior notice to the workman and without giving the workman any chance to defend himself against charges, if any, against him;

That the action of the employer in thus terminating the services of the workman was wrongful, illegal and against natural justice; That having failed to persuade the employer to rescind their decisions to terminate the services, of the workman and to reinstate him with full back wages and continuity of services, the workman vide his letter dated 3-1-1984 addressed to the Asst. Labour Commissioner, South-Goa, of Goa, Daman and Diu raised an Industrial Dispute;

That Assistant Labour Commissioner, Govt. of Goa, Daman and Diu, Margao who is also a Conciliation Officer took up the matter in conciliation as an Industrial Dispute and as there was no amicable settlement, submitted his failure report to the appropriate Government; Hence, this reference;

As aforesaid, the workman submits that the services of the said worker have been illegally and wrongfully terminated by the management of M/s. U. T. C. Tourism Pvt. Ltd. Hotel Silver Sands, Colva, Salcette-Goa, with effect from 21-12-1983 and that the workman is entitled for reinstatement with full back wages and continuity of services since 21-12-1983. It is submitted that this Hon'ble Tribunal be pleased to hold that the action of the management of M/s. U.T.C. Tourism Pvt. Ltd., Hotel Silver Sands, Colva, Salcette Goa, in verbally terminating the services of the workman with effect from 21-12-1983 is wrongful and illegal.

It is, therefore, prayed that the Management of M/s. U.T.C. Tourism Pvt. Ltd., Hotel Silver Sands, Colva, Salcette-Goa, be directed to reinstate in their services the workman namely Shri Simon Luis, Cashier with effect from 21-12-1983 with continuity of services and to pay full back wages and all benefits connected with his employment from 21-12-1983.

3. The employer, though duly served, did not file any written statement statement, nor did he remain present. Case proceeded ex-parte and date was fixed for evidence. On the date so fixed, neither party remained present.

4. Since the workman, although having filed his statement of claim, has not stepped into the witness box to give evidence in Open Court and face cross examination, if any, of the employer, who has also remained absent throughout, it appears that the parties are no more interested in this dispute. In the absence of the co-operation of the parties, this Tribunal is unable to answer to this reference in one way or the other. Hence, this report to the Government with a request that the reference be treated as disposed off.

Dr. Renato de Noronha
Presiding Officer
Industrial Tribunal

Law Department
Establishment Branch

**Notifications by the High Court of Judicature,
Appellate Side, Bombay**

No. A. 3902(G)/84

The Honourables, the Chief Justice and Judges are pleased to promote Shri V. A. Gaonkar, then Civil Judge, Junior

Division and Judicial Magistrate, First Class, Margao as Civil Judge, Senior Division - Grade I (Goa, Daman and Diu Civil Service - Judicial Branch) with effect from 4 October, 1982.

High Court, Appellate Side,
Bombay, 2 January, 1985.

R. G. Sindhakar
Additional Registrar,
I/c Registrar.

No. A.3902(G)/84

In exercise of the powers conferred by sub-section (2) of Section 11 of the Code of Criminal Procedure, 1973 (No. 2 of 1974), the Honourables, the Chief Justice and Judges are pleased to appoint Shri M. N. Gilani, Chief Judicial Magistrate and Civil Judge, Dadra and Nagar Haveli at Silvassa as Judicial Magistrate, First Class, *Daman*.

High Court, Appellate Side,
Bombay, 29 November, 1984.

R. G. Sindhakar
Additional Registrar,
I/C. Registrar.